

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN ROE,

Plaintiff,

Case No. 25-cv-10372

Hon. Matthew F. Leitman

v.

SEETHA MONRAD, *et al.*,

Defendants.

/

**ORDER GRANTING PLAINTIFF LEAVE
TO FILE A SECOND AMENDED COMPLAINT**

On February 7, 2025, Plaintiff John Roe filed this action against the Defendants. (*See* Compl., ECF No. 1; Am. Compl., ECF No. 4.) In the Amended Complaint, Roe alleges that the Defendants wrongly expelled him from the University of Michigan Medical School. (*See* Am. Compl., ECF No. 4.)

The Defendants have now filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), for judgment on the pleadings under Rule 12(c), and for summary judgment under Rule 56. (*See* Mot., ECF No. 13.) While Defendants raise several bases for their motion, one of the bases is that Roe has failed to plead sufficient facts to state viable claims under the Supreme Court's decisions in *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). (*See, e.g., id.*, PageID.234-235.) In Defendants' words, several of Roe's claims are "implausible in the pleadings." (*Id.*, PageID.238.)

Without expressing any view regarding the merits of the motion, the Court will grant Roe the opportunity to file a Second Amended Complaint in order to remedy the alleged deficiencies in his allegations. The Court does not anticipate allowing Roe another opportunity to amend to add factual allegations that he could now include in a Second Amended Complaint. Simply put, this is Roe's opportunity to amend his allegations to cure the alleged deficiencies in his claims.

By **May 13, 2025**, Roe shall file a notice on the docket in this action notifying the Court and the Defendants whether he will be filing a Second Amended Complaint. If Roe provides notice that he will be filing a Second Amended Complaint, he shall file that amended pleading by no later than **May 28, 2025**. If Roe provides notice that he will not be filing a Second Amended Complaint, he shall respond to the Defendants' dispositive motion by no later than **May 28, 2025**.

Finally, if Roe provides notice that he will be filing a Second Amended Complaint, the Court will terminate without prejudice the Defendants' currently-pending dispositive motion without prejudice as moot. The Defendants may file a renewed dispositive motion directed at the Second Amended Complaint if they believe that such a motion is appropriate after reviewing that pleading.

IT IS SO ORDERED.

Dated: April 29, 2025

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 29, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126